



**REPORT OF THE AUDITOR OF PUBLIC ACCOUNTS
AUDIT EXAMINATION OF THE
SPENCER COUNTY CLERK**

Calendar Year 1999

**EDWARD B. HATCHETT, JR.
AUDITOR OF PUBLIC ACCOUNTS
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EXECUTIVE SUMMARY

SPENCER COUNTY COUNTY CLERK FEES DECEMBER 31, 1999

On April 25, 2000, fieldwork was completed on the December 31, 1999 Spencer County Clerk Fee Audit. An unqualified opinion was rendered on the financial statements. There were no reportable conditions relating to the audit of the financial statements.

Finding

- The County Clerk Should Require Depository Institutions To Pledge Or Provide Sufficient Collateral To Protect Deposits

Deposits & Investments

The County Clerk's deposits were uncollateralized and uninsured by \$127,126 on April 12, 1999.

Grant Agreement

The County Clerk received and spent a local records grant from the Kentucky Department for Library and Archives in the amount of \$6,485.

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Edward B. Hatchett, Jr.
Auditor of Public Accounts

To the People of Kentucky

Honorable Paul E. Patton, Governor

John P. McCarty, Secretary

Finance and Administration Cabinet

Mike Haydon, Secretary, Revenue Cabinet

Honorable David Jenkins, Spencer County Judge/Executive

Honorable Robin G. Waldrige, Spencer County Clerk

Members of the Spencer County Fiscal Court

Independent Auditor's Report

We have audited the accompanying statement of receipts, disbursements, and excess fees of the County Clerk of Spencer County, Kentucky, for the year ended December 31, 1999. This financial statement is the responsibility of the County Clerk. Our responsibility is to express an opinion on this financial statement based on our audit.

We conducted our audit in accordance with generally accepted auditing standards, Government Auditing Standards issued by the Comptroller General of the United States, and the Audit Guide for County Fee Officials issued by the Auditor of Public Accounts, Commonwealth of Kentucky. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statement is free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statement. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

As described in Note 1, the County Clerk's office is required to prepare the financial statement on a prescribed basis of accounting that demonstrates compliance with the cash basis and laws of Kentucky, which is a comprehensive basis of accounting other than generally accepted accounting principles. This cash basis system does not require the maintenance of a general fixed asset group or general long-term debt group of accounts. Accordingly, the accompanying financial statement is not intended to present financial position and results of operations in conformity with generally accepted accounting principles.

In our opinion, the financial statement referred to above presents fairly, in all material respects, the receipts, disbursements, and excess fees of the County Clerk for the year ended December 31, 1999, in conformity with the basis of accounting described above.

Based on the results of our audit, we have presented the accompanying comment and recommendation, included herein, which discusses the following area of noncompliance:

- The County Clerk Should Require Depository Institutions To Pledge Or Provide Sufficient Collateral To Protect Deposits.

To the People of Kentucky
Honorable Paul E. Patton, Governor
John P. McCarty, Secretary
Finance and Administration Cabinet
Mike Haydon, Secretary, Revenue Cabinet
Honorable David Jenkins, Spencer County Judge/Executive
Honorable Robin G. Walldridge, Spencer County Clerk
Members of the Spencer County Fiscal Court

In accordance with Government Auditing Standards, we have also issued a report dated April 25, 2000 on our consideration of the County Clerk's compliance with certain laws and regulations and internal control over financial reporting.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ed Hatchett", with a stylized flourish at the end.

Edward B. Hatchett, Jr.
Auditor of Public Accounts

Audit fieldwork completed -
April 25, 2000

SPENCER COUNTY
ROBIN G. WALDRIDGE, COUNTY CLERK
STATEMENT OF RECEIPTS, DISBURSEMENTS, AND EXCESS FEES

Calendar Year 1999

Receipts

State Grant-Library and Archives	\$	6,485
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State Fees For Services		1,126
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Fiscal Court		4,732
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Licenses and Taxes:

Motor Vehicle-

Licenses and Transfers	\$ 258,758	
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Usage Tax	653,965	
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Tangible Personal Property Tax	697,332	
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Licenses-

Fish and Game	6,381	
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Marriage	2,829	
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Occupational	48,694	
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Deed Transfer Tax	62,461	
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Delinquent Tax	38,147	1,768,567
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Fees Collected for Services:

Recordings-

Deeds, Easements, and Contracts	\$ 16,500	
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Real Estate Mortgages	34,305	
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Chattel Mortgages and Financing Statements	38,183	
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Releases	11,906	
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Powers of Attorney	832	
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All Other Recordings	10,062	
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Charges for Other Services-

Postage	338	
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Candidate Filing Fees	20	
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Copywork	3,153	115,299
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Other:

Lien Release Fees	\$ 3,614	
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PVA Real Estate Conveyance	1,500	
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Refunds and Overpayments	1,240	
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Notary Fees	554	6,908
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Interest Earned		3,002
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Total Receipts (Carried Forward)	\$	1,906,119
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SPENCER COUNTY
 ROBIN G. WALDRIDGE, COUNTY CLERK
 STATEMENT OF RECEIPTS, DISBURSEMENTS, AND EXCESS FEES
 Calendar Year 1999
 (Continued)

Total Receipts (Carried Forward) \$ 1,906,119

Disbursements

Payments to State:

Motor Vehicle-

Licenses and Transfers	\$ 202,517	
Usage Tax	635,991	
Tangible Personal Property Tax	289,685	

Licenses-

Fish and Game	5,649	
Delinquent Tax	5,900	
Legal Process Tax	15,374	\$ 1,155,116

Payments to Fiscal Court:

Tangible Personal Property Tax	\$ 56,037	
Delinquent Tax	3,633	
Deed Transfer Tax	59,337	
Occupational Licenses	46,131	165,138

Payments to Other Districts:

Tangible Personal Property Tax	\$ 322,477	
Delinquent Tax	19,049	341,526

Payments to Sheriff 1,429

Payments to County Attorney 2,275

Library and Archives Grant 6,485

Operating Disbursements and Capital Outlay:

Personnel Services-

Deputies Salaries	\$ 82,104	
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Employee Benefits-

Employer's Paid Health Insurance	1,074	
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Contracted Services-

Microfilming and Indexing Records	11,488	
Tax Bill Preparation	1,733	
Printing and Binding	5,292	

Materials and Supplies-

Office Supplies	14,419	
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Other Charges-

Conventions and Dues	600	
Office Repairs and Maintenance	2,655	
Postage	10,975	
Miscellaneous Election Expenses	465	
Refunds	8,210	

SPENCER COUNTY
 ROBIN G. WALDRIDGE, COUNTY CLERK
 STATEMENT OF RECEIPTS, DISBURSEMENTS, AND EXCESS FEES
 Calendar Year 1999
 (Continued)

Disbursements (Continued)

Operating Disbursements and Capital Outlay: (Continued)

Capital Outlay-			
Office Equipment	\$	1,222	
Computer Hardware and Software		<u>11,394</u>	<u>\$ 151,631</u>
Total Disbursements			<u>\$ 1,823,600</u>
Net Receipts	\$	82,519	
Less: Statutory Maximum			<u>54,272</u>
Excess Fees	\$	28,247	
Less: Expense Allowance			<u>3,600</u>
Excess Fees Due County for Calendar Year 1999	\$	24,647	
Payments to County Treasurer - February 19, 2000			<u>24,647</u>
Balance Due at Completion of Audit	\$		<u><u>0</u></u>

The accompanying notes are an integral part of the financial statement.

SPENCER COUNTY
NOTES TO FINANCIAL STATEMENT

December 31, 1999

Note 1. Summary of Significant Accounting Policies

A. Fund Accounting

A fee official uses a fund to report on the results of operations. A fund is a separate accounting entity with a self-balancing set of accounts. Fund accounting is designed to demonstrate legal compliance and to aid financial management by segregating transactions related to certain government functions or activities.

A fee official uses a fund for fees to account for activities for which the government desires periodic determination of the excess of receipts over disbursements to facilitate management control, accountability, and compliance with laws.

B. Basis of Accounting

The financial statement has been prepared on a cash basis of accounting pursuant to KRS 68.210 as recommended by the State Local Finance Officer. Revenues and related assets are generally recognized when received rather than when earned. Certain expenses are recognized when paid rather than when a liability is incurred, including capital asset purchases. Certain other expenses are recognized when a revenue and the related asset can be associated with a corresponding liability due another governmental entity.

The measurement focus of a fee official is upon excess fees. Remittance of excess fees is due to the County Treasurer in the subsequent year.

C. Cash and Investments

At the direction of the fiscal court, KRS 66.480 authorizes the County Clerk's office to invest in the following, including but not limited to, obligations of the United States and of its agencies and instrumentalities, obligations and contracts for future delivery or purchase of obligations backed by the full faith and credit of the United States, obligations of any corporation of the United States government, bonds or certificates of indebtedness of this state, and certificates of deposit issued by or other interest-bearing accounts of any bank or savings and loan institution which are insured by the Federal Deposit Insurance Corporation (FDIC) or which are collateralized, to the extent uninsured, by any obligation permitted by KRS 41.240(4).

Note 2. Employee Retirement System

The county officials and employees have elected to participate in the County Employees Retirement System (CERS), pursuant to KRS 78.530 administered by the Board of Trustees of the Kentucky Retirement Systems. This is a multiple-employer public retirement system that covers all eligible full-time employees. Benefit contributions and provisions are established by statute. Nonhazardous covered employees are required to contribute 5.0 percent of their salary to the plan. The county's contribution rate for nonhazardous employees was 8.22 percent through June 30, 1999 and 7.28 percent from July 1, 1999 to December 31, 1999.

SPENCER COUNTY
NOTES TO FINANCIAL STATEMENT
December 31, 1999
(Continued)

Note 2. Employee Retirement System (Continued)

Benefits fully vest on reaching five years of service for nonhazardous employees. Aspects of benefits for nonhazardous employees include retirement after 27 years of service or age 65.

Historical trend information pertaining to CERS' progress in accumulating sufficient assets to pay benefits when due is present in the Kentucky Retirement Systems' annual financial report which is a matter of public record.

Note 3. Deposits

The County Clerk maintained deposits of public funds with depository institutions insured by the Federal Deposit Insurance Corporation (FDIC). According to KRS 66.480(1)(d) and KRS 41.240(4), the depository institution should pledge or provide sufficient collateral which, together with FDIC insurance, equals or exceeds the amount of public funds on deposit at all times. In order to be valid against the FDIC in the event of failure or insolvency of the depository institution, this pledge or provision of collateral should be evidenced by an agreement between the County Clerk and the depository institution, signed by both parties, that is (a) in writing, (b) approved by the board of directors of the depository institution or its loan committee, which approval must be reflected in the minutes of the board or committee, and (c) an official record of the depository institution. The County Clerk had no pledges and had not entered into a written agreement with the depository institution and met requirements (a), (b), and (c) stated above. However, as of April 12, 1999, the FDIC insurance did not equal or exceed the amount on deposit, leaving \$127,126 of public funds uninsured and unsecured.

Note 4. Grant

The County Clerk received a local records microfilming grant from the Kentucky Department for Libraries and Archives in the amount of \$6,485. Funds totaling \$6,485 were expended during calendar year 1999.

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COMMENT AND RECOMMENDATION

SPENCER COUNTY
ROBIN G. WALDRIDGE, COUNTY CLERK
COMMENT AND RECOMMENDATION

Calendar Year 1999

STATE LAWS AND REGULATIONS:

The County Clerk Should Require Depository Institutions To Pledge Or Provide Sufficient Collateral To Protect Deposits

On April 12, 1999, \$127,126 of the County Clerk's deposits of public funds in depository institutions were uninsured and unsecured. According to KRS 66.480(1)(d) and KRS 41.240(4), the depository institution should pledge or provide sufficient collateral which, together with Federal Deposit Insurance Corporation insurance, equals or exceeds the amount of public funds on deposit at all times. We recommend that the County Clerk require the depository institution to pledge or provide collateral in an amount sufficient to secure deposits of public funds at all times.

The County Clerk's Response:

I've discussed the collateral and pledge requirements with the appropriate bank official and currently coverage is adequate.

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REPORT ON COMPLIANCE
AND ON INTERNAL CONTROL OVER FINANCIAL
REPORTING BASED ON AN AUDIT OF THE FINANCIAL STATEMENT
PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS



Edward B. Hatchett, Jr.
Auditor of Public Accounts

Honorable David Jenkins, Spencer County Judge/Executive
Honorable Robin G. Waldrige, Spencer County Clerk
Members of the Spencer County Fiscal Court

Report On Compliance And On Internal Control
Over Financial Reporting Based On An Audit Of The Financial
Statement Performed In Accordance With Government Auditing Standards

We have audited the Spencer County Clerk as of December 31, 1999, and have issued our report thereon dated April 25, 2000. We conducted our audit in accordance with generally accepted auditing standards and the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States.

Compliance

As part of obtaining reasonable assurance about whether the Spencer County Clerk's financial statement as of December 31, 1999, is free of material misstatement, we performed tests of its compliance with certain provisions of laws and regulations, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance that are required to be reported under Government Auditing Standards.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Spencer County Clerk's internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinion on the financial statement and not to provide assurance on the internal control over financial reporting. Our consideration of the internal control over financial reporting would not necessarily disclose all matters in the internal control over financial reporting that might be material weaknesses. A material weakness is a condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements in amounts that would be material in relation to the financial statement being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. We noted no matters involving the internal control over financial reporting and its operation that we consider to be a material weakness.

Honorable David Jenkins, Spencer County Judge/Executive
Honorable Robin G. Waldrige, Spencer County Clerk
Members of the Spencer County Fiscal Court
Report On Compliance And On Internal Control
Over Financial Reporting Based On An Audit Of The Financial
Statement Performed In Accordance With Government Auditing Standards
(Continued)

This report is intended solely for the information and use of management and is not intended to be and should not be used by anyone other than the specified party. However, this report, upon release by the Auditor of Public Accounts, is a matter of public record and its distribution is not limited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ed Hatchett", with a long horizontal flourish extending to the right.

Edward B. Hatchett, Jr.
Auditor of Public Accounts

Audit fieldwork completed -
April 25, 2000

